

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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| RICHARD C. SMITH, | : | No. 1:08-cv-1397 |
| Plaintiff | : | Civil Action – Law |
| : | | |
| vs. | : | |
| : | | |
| PRIMECARE MEDICAL, INC., | : | Chief Judge Kane |
| CARL A. HOFFMAN, JR., D.O., | : | |
| THERESA M. HOFFMAN, | : | |
| JOSHUA D. LOCK, | : | Jury Trial Demanded |
| MARCY HOFFMAN-SCHLEGEL, | : | |
| FRANK KOMYKOSKI, and | : | |
| KNIGHTS OF VON DUKE, LTD., | : | |
| Defendants | : | |

**DEFENDANTS' APPENDIX OF EXHIBITS IN OPPOSITION TO
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

Table of Exhibits

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| Complaint | Exhibit A |
| Amended Answer | Exhibit B |
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| 9/14/09 Affidavit of Dr. Carl Hoffman | Exhibit D |
| Deposition Transcript – Dr. Carl Hoffman | Exhibit E |
| Deposition Transcript – Richard Smith..... | Exhibit F |
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| Affidavit of Dr. Enos Martin..... | Exhibit H |

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| Affidavit of Dr. Erik Von Kiel | Exhibit I |
| 8/28/09 Affidavit of Francis Komykoski | Exhibit J |
| 9/14/09 Affidavit of Francis Komykoski | Exhibit K |
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| Deposition Transcript – Robert Nichols | Exhibit P |
| Agreement Between Prime Care Medical, Inc. and Lancaster County..... | Exhibit Q |

GOLDBERG KATZMAN, P.C.

/s/ Michael J. Crocenzi
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Date: September 16, 2009